



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Guy H. Henry, III, et al. Docket: 102100-201
Serial No.: 10/641,727 Art Unit: 3641
Filed: August 15, 2003 Examiner: Not Yet Assigned
Conf. No. 2178 Cust. No. 27267
Assignee: General Dynamics Ordnance & Tactical Systems, Inc.
Title: FIN-STABILIZED AMMUNITION

Certificate of Mailing

Date of Deposit December 18, 2003.

I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: _____

Name: Elizabeth A. Geschke

INFORMATION DISCLOSURE TRANSMITTAL LETTER

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. ☐ Applicant submits herewith a copy of (a) attached form PTO-1449, which lists all patents, publications, applications, or other information submitted for consideration by the Office; (b) a legible copy of each document required by 37 C.F.R. §1.98(b)(2).
2. ☒ Applicant herein apprises the Patent Office of prior art in a parent U.S. application from which this application obtains the benefit of an earlier filing date under 35 U.S.C. §120. The Serial Number of the parent application is U.S. Application Serial No. 09/804,001 filed on March 12, 2001 and entitled Fin-Stabilized Ammunition. The publications cited therein are listed on attached Form PTO-1449. In accordance with 37 C.F.R. §1.98(d) copies of the listed publications are not required.
☐ Additional parent patent applications are listed on an attached sheet.
3. ☐ In accordance with 37 C.F.R. §1.98(a)(3), Applicant hereby certifies that for each reference not in English (**check at least one box below**):
☐ A copy of a translation of on or more non-English document, or portion thereof, is provided herewith;

☐ A concise explanation is (check at least one box below):

☐ provided in the accompanying foreign or international search report; ☐ incorporated into the specification; and/or ☐ provided herewith.

37 C.F.R. §1.97(b)(1), (b)(2) - WITHIN 3 MONTHS OF FILING OR ENTRY IN NATIONAL STAGE

4. ☐ Since this Information Disclosure Statement is being filed within three months of the filing date of the subject application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(b)(3), (b)(4) - PRIOR TO MAILING OF FIRST OFFICE ACTION OR FIRST ACTION AFTER REQUEST FOR CONTINUED EXAMINATION

5. ☒ Since this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114, no fee or certification under 37 C.F.R. §1.97(e) is required.

37 C.F.R. §1.97(c) - AFTER FIRST ACTION, BEFORE FINAL ACTION OR ALLOWANCE

6. ☐ Since this Information Disclosure Statement is being filed outside of the period provided for in 37 C.F.R. §1.97(b), but before the mailing date of a Final Rejection or Notice of Allowance, this submission is being accompanied by (one of the following boxes must be checked):
- a. ☐ the fee required under 37 C.F.R. §1.97(c)(2) and specified in 37 C.F.R. §1.17(p).
- b. ☐ the statement specified in 37 C.F.R. §1.97(e) (Box 8 or 9 must be checked).

37 C.F.R. §1.97(d) - AFTER FINAL REJECTION OR ALLOWANCE

7. ☐ Since this Information Disclosure Statement is being filed after the period specified in 37 C.F.R. §1.97(c), but on or before payment of this issue fee and is accompanied by both the statement specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p). (Box 8 or 9 must be checked).
8. ☐ In accordance with 37 C.F.R. §1.97(e)(1), Applicant's attorney certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. ☐ The foreign or international search report(s) is/are enclosed.

9. ☐ In accordance with 37 C.F.R. §1.97(e)(2), Applicant's attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.
10. ☒ In the event the Commissioner of Patents deems that any additional fee is required under 37 C.F.R. §§ 1.16 or 1.17 in connection with this application, Applicant's attorneys authorize that such fee be charged to Deposit Account No. 23-1665.

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Consideration of this Information Disclosure Statement is respectfully requested.

Respectfully submitted,
Guy H. Henry, III et al.

Date: December 18, 2003
Reg. No. 52,941


Signature of Representative
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Signed: 

Name: Elizabeth A. Geschke

INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents
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Alexandria, VA 22313-1450

Dear Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to make of record the items on attached PTO Form 1449 which were considered in the preparation of the subject and parent applications.

The parent application of the subject application was filed March 12, 2001 and has since issued to U.S. Patent No. 6,655,293. In accordance with 37 C.F.R §1.98(d), copies of the below listed references are not required, and therefore are not included herein.


1. U.S. Patent No. 3,851,590 to Lacosta, issued December 1974.
2. U.S. Patent No. 3,902,424 to Dietsch et al., issued September 1975.
3. U.S. Patent No. 4,520,972 to Diesinger et al., issued June 1985.

4. U.S. Patent No. 4,653,405 to Paine, issued March 1987.
5. U.S. Patent No. 4,815,682 to Feldmann et al., issued March 1989.
6. U.S. Patent No. 4,901,646 to Feldmann et al., issued February 1990.
7. U.S. Patent No. 5,297,492 to Buc, issued March 1994.
8. U.S. Patent No. 5,413,049 to Feldmann et al., issued May, 1995.
9. U.S. Patent No. 5,811,724 to Henry, et al., issued September, 1998.
10. German Patent No. 3,927,918 to Pahnke, issued February, 1991.
11. "25-mm M242 Bushmaster," US Naval Institute Military Database,
<http://usni.com/demo/weapons/artguns/cmbtveh/w0003600.html>, downloaded,
March 7, 2000.

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as representation that no better art exists or that a thorough patentability search has been made.

Respectfully submitted,
Guy H. Henry III, et al.

Date: *December 18, 2003*
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| FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | | | Docket Number (Optional): 102100-201 | | Serial Number: 10/641,727 | |
|--|---|---------|--------------------|---|---------------|------------------------------|--|
| | | | | Applicant(s): Guy H. Henry et al. | | | |
| | | | | Filing Date: August 15, 2003 | | Group Art Unit: 3641 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIALS | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | DATE | |
| | 3,851,590 | 12/1974 | LaCosta | 102 | 501 | | |
| | 3,902,424 | 9/1975 | Dietsch et al. | 102 | 87 | | |
| | 4,520,972 | 6/1985 | Diesinger et al. | 244 | 3.24 | | |
| | 4,653,405 | 3/1987 | Paine | 102 | 3.29 | | |
| | 4,815,682 | 3/1989 | Feldmann et al. | 244 | 3.23 | | |
| | 4,901,646 | 2/1990 | Feldmann et al. | 102 | 521 | | |
| | 5,297,492 | 3/1994 | Buc | 102 | 521 | | |
| | 5,413,049 | 5/1995 | Feldmann et al. | 102 | 521 | | |
| | 5,472,536 | 12/1995 | Doris et al. | 149 | 41 | | |
| | 5,811,724 | 9/1998 | Henry, III, et al. | 149 | 18 | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | TRANSLATION | | |
| | | | | | YES | NO | |
| | 3,927,918 | 2/1991 | Germany | 244 | | | |
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| OTHER DOCUMENTS | | | | | | | |
| | "25-mm M242 Bushmaster", US Naval Institute Military Database, http://www.usni.com/demo/weapons/artguns/cmbtveh/w0003600.html , downloaded 3/7/00 | | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | |

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